

#102b
11/01/22

(R-2023-188)

RESOLUTION NUMBER R- 314410
DATE OF FINAL PASSAGE NOV 14 2022

A RESOLUTION OF THE COUNCIL OF THE CITY OF
SAN DIEGO AUTHORIZING A COMPENSATION
AGREEMENT BETWEEN THE CITY OF SAN DIEGO AND
CIVIC SAN DIEGO FOR CONSTRUCTION OF THE LYCEUM
THEATRE RENOVATION PROJECT IN THE DOWNTOWN
NEIGHBORHOOD COMMUNITY PLAN AREA, APPROVING
FUNDING, AND RELATED ACTIONS.

WHEREAS, the Lyceum Theatre is located on the north side of the Horton Plaza
Retail/Office Center adjacent to Broadway Circle and Horton Plaza in downtown San Diego and
includes two distinct theatres, a 550 seat main stage theatre and a 250 seat "black box" theatre;
two lobbies; restrooms; concession areas; commons areas; and a multi-use open stage (Lyceum
Theatre); and

WHEREAS, the Lyceum Theatre requires the following improvements: replacing and
upgrading outdated and obsolete components of the main stage theatre, "black box" theatre, and
dressing rooms, and updating the existing infrastructure for a safer and better experience for staff
and patrons (Improvements); and

WHEREAS, Civic San Diego, a nonprofit public benefit corporation (Civic) provides
consulting services to the City under that certain Operating Agreement regarding redevelopment
wind down activities and asset management and completion of certain projects, dated June 18,
2019 (Operating Agreement); and

WHEREAS, Civic manages the completion of the Project pursuant to section 2.1.1.2 of
the Operating Agreement; and

WHEREAS, funds in an amount not to exceed \$13,455,500 from Fund 200700,
Redevelopment Property Tax Trust Fund (RPTTF), Recognized Obligated Payment Schedule

(ROPS) line item 205, are available for the Improvements, subject to approval by the County of San Diego Oversight Board and State Department of Finance; and

WHEREAS, the City and Civic propose entering into a compensation agreement to appropriate the funds, as identified, for construction of Lyceum Theatre Improvements (Agreement), a copy of which is included in the backup materials accompanying this Resolution; and

WHEREAS, the Office of the City Attorney has drafted this Resolution based on the information provided by City staff (including information provided by affected third parties and verified by City staff), with the understanding that this information is complete, true, and accurate; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, as follows:

1. The City Council approves the Agreement.
2. The Mayor, or designee, is authorized and directed to execute the Agreement, including all attachments and exhibits requiring the City's signature, contingent upon the programming and availability of the funds in the annually approved ROPS. A copy of the Agreement, when fully executed, shall be placed on file with the City Clerk as Document No.

RR- 314410

3. The Chief Financial Officer is authorized to appropriate and expend an amount not to exceed \$13,455,500 from Fund 200700, RPTTF, ROPS line item 205, contingent upon the programming and availability of the funds in the annually approved ROPS.

4. The City Council approve the plans and specifications for construction of Lyceum Theatre.

APPROVED: MARA W. ELLIOTT, City Attorney

By: /s/ Katherine A. Malcolm
Katherine A. Malcolm
Deputy City Attorney

KAM: cc
10/05/2022
Or.Dept: Economic Dev't
Doc. No.: 3108330

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of NOV 01 2022.

ELIZABETH S. MALAND
City Clerk

By Kristell Medina
Deputy City Clerk

Approved: 11/10/22
(date)

Todd Gloria
TODD GLORIA, Mayor

Vetoed: _____
(date)

TODD GLORIA, Mayor

Passed by the Council of The City of San Diego on NOV 01 2022, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Joe LaCava	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Jennifer Campbell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Stephen Whitburn	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Monica Montgomery Steppe	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marni von Wilpert	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chris Cate	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Raul A. Campillo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Vivian Moreno	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sean Elo-Rivera	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage NOV 14 2022.

(Please note: When a resolution is approved by the Mayor, the date of final passage is the date the approved resolution was returned to the Office of the City Clerk.)

AUTHENTICATED BY:

TODD GLORIA
Mayor of The City of San Diego, California.

(Seal)

ELIZABETH S. MALAND
City Clerk of The City of San Diego, California.

By *Janet Medina*, Deputy

Office of the City Clerk, San Diego, California
314410
Resolution Number R-_____